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**FACSIMILE TRANSMITTAL SHEET**

To **USPTO** FAX NUMBER: **703-872-9306**

FROM: **Robert J. Lipka** PHONE NUMBER: **908-298-2960**  
 TOTAL NO. OF PAGES INCLUDING COVER DATE  
**3** **June 22, 2005**

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**PLEASE HAND DELIVER**

In re Application of US Patent Application No. 10/763,143  
 For Patent For: "USE OF MOMETASONE FUROATE FOR TREATING AIRWAY  
 PASSAGES AND LUNG DISEASES"  
 Filing Date: January 22, 2004  
 Our Ref.: AL0425KQ9  
 Applicant: Sequeira, et.al.

Transmitted herewith are:

- Fax Cover Sheet - 1 page
- Transmittal Form - 1 page
- Communication/Response - 1 page

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Express Mail Label No.

PTO/SB/21 (06-04)

Approved for use through 07/31/2006. GMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCETRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

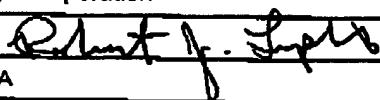
Application Number	10/763,143
Filing Date	01/22/2004
First Named Inventor	SEQUEIRA, Joel A
Art Unit	1816
Examiner Name	Clardy
Attorney Docket Number	AL0425KQ9

3

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.63	Remarks	

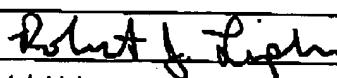
Fax Cover Sheet - 1 Page

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Schering-Plough Corporation		
Signature			
Printed name	ROBERT J. LIPKA		
Date	June 22, 2005	Reg. No.	42,807

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Robert J. Lipka	Date	June 22, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:Sequeira et al.

Serial No.: 10/763,143

Filed: 1/22/04

For: USE OF MOMETASONE  
EUROATE FOR TREATING  
AIRWAY PASSAGES AND LUNG  
DISEASESRECEIVED  
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JUN 22 2005

Commissioner for Patents,  
P.O. Box 1450  
Alexandria, Virginia 22313-1450Communication

Sir:

In response to the notice of Allowance mailed 5/5/05, applicants respectfully submit the following remarks. The Office indicated that applicants were entitled to 14 days of patent term adjustment. As applicants filed a terminal disclaimer, applicants respectfully submit that the patent term adjustment is incorrect. Applicants do not comment on whether the actual determination of 14 days by the Commissioner is correct or incorrect.

Date: 6/22/05

Respectfully submitted,

By:

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